

810 KAR 1:012. Horses.

RELATES TO: KRS 230.215

STATUTORY AUTHORITY: KRS 230.215, 230.260

NECESSITY, FUNCTION, AND CONFORMITY: KRS 230.215 and 230.260 authorize the Kentucky Horse Racing Commission to promulgate administrative regulations regulating horse racing in Kentucky. This administrative regulation establishes requirements for the participation of horses in horse race meetings, protects the safety and welfare of the horse, and creates a level playing field for participants thereby protecting the integrity of pari-mutuel wagering.

Section 1. Definition. "Electronic registration system" means a software application available online and approved by the commission that allows an association's racing secretary, or his designee, or horse identifier, or his designee, full access to horse and trainer records from all tracks in North America, including current owner information.

Section 2. Registration Required. (1) Except as provided by subsection (2) of this section, a horse shall not be entered or raced in this state unless:

(a) Duly registered in The Jockey Club breed registry; and

(b)1. The registration certificate or racing permit issued by The Jockey Club for the horse is on file with the racing secretary; or

2. The information contained on the registration certificate or racing permit is available to the racing secretary through the electronic registration system.

(2) The stewards may for good cause waive this requirement if the horse is otherwise correctly identified to the stewards' satisfaction.

(3) Upon claim, sale, or any other transfer of ownership, the horse's registration certificate or racing permit shall be given to the new owner. The new owner may report the change in ownership to an association's racing secretary, or his designee, or horse identifier, or his designee, to enter ownership information in the electronic registration system.

(4) If the electronic registration system fails for any reason, the stewards may require presentation of a horse's registration certificate or racing permit prior to a horse being entered or raced in Kentucky.

(5) The stewards may at any time require presentation of a horse's registration certificate or racing permit. Failure to comply with this provision may result in imposition of penalties pursuant to 810 KAR 1:028.

Section 3. Ringers Prohibited. (1) A horse shall not be entered or raced in this state designated by a name other than the name under which the horse is currently registered with The Jockey Club. If a horse's name is changed with The Jockey Club, the horse's former name shall be shown parenthetically in the daily race program the first three (3) times the horse races after the name change.

(2) A person shall not cause or permit the correct identity of a horse to be concealed or altered. A person shall not refuse to reveal the correct identity of a horse he owns or that is in his care to a racing official or member of the regular news media.

(3) A horse shall not race in this state unless the horse has:

(a) A legible lip tattoo number applied by agents of the Thoroughbred Racing and Protective Bureau;

(b) An electronic horse identification microchip that accurately identifies the horse and is compliant with the international standards ISO 11784; or

(c) With regards to a horse from a foreign jurisdiction participating in a graded stakes race,

has otherwise been correctly identified to the stewards' satisfaction.

(4) A horse shall not be entered or raced in this state if previously involved in a "ringer" case to the extent that:

(a) A person having control of the horse knowingly entered or raced the horse while designated by a name other than the name under which the horse was registered with The Jockey Club; or

(b) The person having control of the horse participated in or assisted in the entry or racing of some other horse under the name registered as belonging to the horse in question.

Section 4. Denerving. (1) A horse on which a neurectomy has been performed shall have that fact designated on its registration certificate, racing permit, or entry in the electronic registration system. It shall be the joint responsibility of the practicing veterinarian who performed the operation and the trainer of the denerved horse to ensure this fact is correctly designated.

(2) A horse whose ulnar, radial, or median nerve has been either blocked or removed (known as high nerved), or whose volar or plantar nerve has been blocked or removed, shall not be entered or raced in this state.

(3) A horse that has had a posterior digital neurectomy (known as low nerved), may be permitted to race if the denerving has been reported by the trainer to the stewards, and the horse has been approved for racing by the commission veterinarian prior to being entered for a race.

(4) If a horse races in violation of this administrative regulation and participates in the purse distribution, then a protest shall not be considered unless submitted in writing to the stewards within forty-eight (48) hours after the race.

(5) If a horse races in violation of this administrative regulation and is claimed, then a protest shall not be considered unless the successful claimant submits a protest in writing within forty-eight (48) hours requesting the claim be voided. If the claim is voided, the horse shall be returned to the owner who started the horse in the race, and the claim price shall be returned to the claimant.

(6) A list of all denerved horses shall be posted in the racing secretary's office. Only horses that have in fact had a neurectomy shall be so reported.

Section 5. Bleeders. (1) A horse that bleeds either during or after a race or workout and is not on bleeder medication may race on bleeder medication at the discretion of the commission veterinarian.

(2)(a) A horse that bleeds while on bleeder medication shall be placed on the veterinarian's list and shall remain on the list until removed by the commission veterinarian after consultation with the practicing veterinarian.

(b) If the commission veterinarian and the practicing veterinarian disagree on the removal of the horse from the veterinarian's list, then a third veterinarian shall be appointed by the chairman of the commission or his designee.

(c) The opinion of the third veterinarian shall be delivered to the chairman of the commission or his designee who shall make a final decision on the issue.

Section 6. Health Certificate Required. (1) A horse shall not be stabled on the grounds of a licensed association or any training center under the jurisdiction of the commission unless within ten (10) days prior to arrival on the grounds, the horse has been examined by an accredited practicing veterinarian who shall certify:

(a) The horse's identity;

(b) The horse's body temperature when examined;

(c) That, to the best of the examining veterinarian's knowledge and belief, the horse is free

from any infectious or contagious disease, or exposure thereto, and observable ectoparasites; and

(d) Any other matters as may be required from time to time by the Kentucky State Veterinarian.

(2) Notice of this requirement shall be included in the stall application of all licensed associations and training centers under the jurisdiction of the commission and all condition books of licensed associations.

Section 7. Workouts. A horse shall not be schooled in the paddock or taken onto a track on association grounds for training or workout, other than during normal training hours posted by the association, without special permission of the stewards.

Section 8. Age Restrictions. A maiden six (6) years of age or older that has made five (5) life time starts on the flat shall not be entered or start.

Section 9. Fillies and Mares Bred. (1) A filly or mare that has been covered by a stallion shall be so reported to the racing secretary prior to being entered in a race.

(2) A list of all fillies and mares so reported, showing the names of stallions to which they have been bred, shall be posted in the racing secretary's office.

(3) A filly or mare that has been covered by a stallion shall not be entered in a claiming race, unless a written release from the stallion owner is attached to the filly's or mare's registration certificate indicating that the stallion service fee has been paid or satisfied.

Section 10. Serviceable for Racing. A horse shall not be entered or raced that:

(1) Is not in serviceable, sound racing condition. The stewards may at any time require a horse on association grounds to be examined by a qualified person;

(2) Is posted on a veterinarian's list, stewards' list, or starter's list, or is suspended, in any racing jurisdiction;

(3) Has been administered any drug in violation of 810 KAR 1:018;

(4) Is blind or has seriously impaired vision in both eyes;

(5) Is not correctly identified to the satisfaction of the stewards; or

(6) Is owned wholly or in part by or is trained by an ineligible person.

Section 11. Equipment. (1) Riding crops and blinkers shall be used consistently on a horse.

(2) Permission to change use of any equipment used on a horse from its last previous start shall be obtained from the stewards.

(3) A horse's tongue may be tied down during a race with a clean bandage or gauze.

(4) A horse's bridle shall not weigh more than two (2) pounds.

(5) Bits shall be of a metallic alloy base of stainless steel or aluminum and may be encased in rubber, plastic, or leather.

(6) War bridles and bitless bridles shall not be used.

(7) Bar shoes may be used for racing only with permission of the stewards.

(8) Any goading device, chain, spurs, electrical or mechanical device, or appliance, except for a riding crop, that may be used to alter the speed of a horse shall not be used on a horse in a race or workout.

(9)(a) Any riding crop may be subject to inspection and approval by the stewards or the clerk of the scales to ensure conformity with the specifications of paragraphs (c) through (e) of this subsection.

(b) Only riding crops meeting the specifications of this subsection, including the mandatory

shock absorbing characteristics, may be used in thoroughbred racing and training.

(c) A riding crop shall have a:

1. Maximum weight of eight (8) ounces;
2. Maximum length, including flap, of thirty (30) inches; and
3. Minimum diameter of the shaft of three-eighths (3/8) inch.

(d)1. The only additional feature that may be attached to the riding crop is a flap that shall have a:

- a. Maximum length from the end of the shaft of one-half (1/2) inch; and
- b. Maximum width of one and six-tenths (1.6) inches, with a minimum width of eight-tenths (0.8) inch;
2. The flap from the end of the shaft shall not contain any reinforcements or additions;
3. There shall not be binding within seven (7) inches of the end of the flap;
4. The contact area of the shaft shall be smooth, with no protrusion or raised surface, and covered by shock absorbing material throughout its circumference; and
5. The flap shall have similar shock absorbing characteristics to that of the contact area.

(e) A riding crop shall not have:

1. Stingers or projections extending through the hole of a popper; and
2. Any metal parts.

(10)(a) The following shall not be used on the front shoes of thoroughbred horses while racing or training on any racing surface:

1. Horse shoes (racing plates) that have toe grabs;
2. Bends;
3. Jar calks;
4. Stickers; and
5. Any other traction device worn on the front shoes of thoroughbred horses.

(b) Wear plates with a height no greater than two (2) millimeters may be used on the front shoes of thoroughbred horses while racing or training.

(11) Indiscriminate or brutal use on a horse of a riding crop or any other equipment, as determined by the stewards, at any time on the grounds of a licensed racing association or training center under the jurisdiction of the commission shall be prohibited.

Section 12. Sex Alteration. Any alteration in the sex of a horse shall be reported by the horse's trainer to the racing secretary and The Jockey Club promptly. The alteration shall be noted on the horse's registration certificate, racing permit, or entry in the electronic system.

Section 13. A licensed racing association or training center under the jurisdiction of the commission shall report the death or euthanization of any horse on its grounds immediately to the chief commission veterinarian.

Section 14. Postmortem Examination. A horse that dies or is euthanized on the grounds of a licensed association or training center under the jurisdiction of the commission shall undergo a postmortem examination at the discretion of the commission and at a facility designated by the commission, through its designee, as follows:

(1) If a postmortem examination is to be conducted, the commission, through its designee, shall take possession of the horse upon death and shall not return the remains of the horse after completion of the postmortem examination. All shoes and equipment on the horse's legs shall be left on the horse;

(2) If a postmortem examination is to be conducted, the commission, through its designee, shall collect blood, urine, bodily fluids, or other biologic specimens immediately, if possible be-

fore euthanization occurs. The commission may submit blood, urine, bodily fluids, or other biologic specimens collected before euthanization or during a postmortem examination for analysis. The presence of a prohibited substance in a specimen collected during the postmortem examination may constitute a violation of 810 KAR 1:018; and

(3) All licensees shall comply with postmortem examination requirements. In proceeding with a postmortem examination the commission, through its designee, shall coordinate with the owner or owner's licensed authorized agent to determine and address any insurance requirements.

Section 15. Incorporation by Reference. (1) "ISO 11784", 1996/Amd.1:2004, is incorporated by reference.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Kentucky Horse Racing Commission, 4063 Iron Works Parkway, Building B, Lexington, Kentucky, Monday through Friday, 8 a.m. to 4:30 p.m. (KSRC Ch. 12, 12.01 to.12; 1 Ky.R. 906; eff. 5-14-75; Am. 3 Ky.R. 458; eff. 1-5-77; 4 Ky.R. 591; eff. 10-4-78; 7 Ky.R. 254; eff. 10-1-80; 670; eff. 4-1-81; 10 Ky.R. 676; eff. 12-2-83; 15 Ky.R. 1154; eff. 1-13-89; 18 Ky.R. 2005; eff. 2-19-92; TAm eff. 8-9-2007; 35 Ky.R. 416; 1779; eff. 2-6-09; 35 Ky.R. 2160; 2436; eff. 6-5-09; 37 Ky.R. 1562; 2216; 2386; eff. 5-6-2011; 38 Ky.R. 150; 610; eff. 10-7-11.)